

PATENT COOPERATION TREATY



PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

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| Applicant's or Agent's file reference | FOR FURTHER ACTION | | See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416) |
| International application No. PCT/FR 03/03379 | International filing date (day/month/year) 14.11.2003 | Priority date (day/month/year) 15.11.2002 | |
| International Patent Classification (IPC) or national classification and IPC B28B 13/02 | | | |
| Applicant CENTRE NATIONAL DE LA RECHERCHE SCIENTIFIQUE | | | |

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|---|
| <p>1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets including this title page.</p> <p><input type="checkbox"/> This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Instruction 607 of Administrative Instructions of the PCT).</p> <p>These annexes consist of a total of sheets.</p> |
| <p>3. This report contains indications relating to the following items:</p> <p>I <input checked="" type="checkbox"/> Basis of the report</p> <p>II <input type="checkbox"/> Priority</p> <p>III <input type="checkbox"/> Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p>IV <input type="checkbox"/> Lack of unity of invention</p> <p>V <input checked="" type="checkbox"/> Reasoned statement according to Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p>VI <input type="checkbox"/> Certain documents cited</p> <p>VII <input type="checkbox"/> Certain defects in the international application</p> <p>VIII <input type="checkbox"/> Certain observations on the international application</p> |

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| Date of submission of the demand 14.06.2004 | Date of completion of this report 25.02.2005 |
| <p>Name and mailing address of the IPEA</p> <p> European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Netherlands Tel. +31 70 340-2040 Tx: 31 651 epo nl Fax: +31 70 340-3016</p> | <p>Authorized officer:</p> <p>Fageot, P</p> <p>Telephone No. +31 70 340-2092</p> <p></p> |

I. Basis of the report

1. This report has been drawn up on the basis of the following elements (*the replacement sheets received by the receiving office in response to an invitation according to Article 14 are considered in the present report as "originally filed" and are not annexed to the report as they contain no amendments (Rules 70.16 and 70.17).):*

Description, pages:

1-12 as originally filed

Claims, No.:

1-13 as originally filed

Drawings, sheets:

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/FR 03/03379

5. ☐ This report has been written disregarding (some of) the amendments, which were considered as going beyond the description of the invention, as filed, as is indicated below (Rule 70.2(c)):

(All replacement sheets comprising amendments of this nature should be indicated in point 1 and attached to this report).

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

| | | | |
|--------------------------|------|--------|-----------|
| Novelty | Yes: | Claims | : 1-8, 13 |
| | No: | Claims | 9-12 |
| Inventive Step | Yes: | Claims | 1-8 |
| | No: | Claims | 9-13 |
| Industrial Applicability | Yes: | Claims | 1-13 |
| | No: | Claims | |

2. Citations and explanations

see separate sheet

In the matter of point V

Reasoned statement regarding novelty, inventive step and industrial applicability; citations and explanations in support of this statement

1.1 Reference is made to the following documents:

D1: CA-A-2 124 863

D2: US-A-5 948 335

2. The following comments are given as regards Article 6 PCT.

The product claims 9 and 11, in which the products are defined by their method of production, are acceptable only if the products as such satisfy the patentability conditions, cf. PCT Directives 5.26 and 5.27.

3. The following statements are made as regards paragraph V.2 of the present written opinion.

3.1 Independent claim 1

Document D1 discloses (the references in brackets apply to that document): a method of making a ceramic article (*page 3, lines 17-21*) comprising the steps consisting in casting a slip under pressure in a mold in order to form a deposit and filtering a solution through the deposit (*page 6, lines 15-24, page 8, lines 18-22, page 9, line 6 and page 10, lines 7-11*).

Consequently, the subject matter of claim 1 differs from this D1 in that: the solution contains a deflocculant.

The subject matter of claim 1 is therefore novel (Article 33(2) PCT).

The problem that the present invention aims to solve may therefore be considered as how to accelerate the production by pressure die casting without threatening the mechanical strength of the cast part after demolding it (description, page 4, lines 1-3).

The solution proposed in claim 1 of the present invention is neither known nor suggested by the available prior art. The subject matter of claim 1 is considered as involving an inventive step (Article 33(3) PCT).

3.2 Independent claim 9

Document D2 discloses (the references in brackets apply to that document): a ceramic article (*column 1, lines 13, 14*).

The subject matter of claim 1 is therefore not novel (Article 33(2) PCT).

3.3 Independent claim 11

The same argument applies *mutatis mutandis* to the subject matter of the corresponding independent claim 11, which is therefore not novel (Article 33(2) PCT).

3.4 Independent claim 12

Document D1 discloses (the references in brackets apply to that document): a device for producing a ceramic article, comprising a mold (*page 6, lines 7-13, figure 1a*) and a first tank suitable for containing a slip (*page 6, line 15, figure 1a, ref. 18*), a second tank suitable for containing a solution (*page 6, line 15, figure 1a, ref. 20*) and means for injecting under pressure, into the mold, alternately the slip from the first tank and the solution from the second tank (*page 6, lines 17-24, page 1a and also page 10, lines 7-10 and page 11, lines 17-19*).

The subject matter of claim 12 is therefore not novel (Article 33(2) PCT).

4. Dependent claims 2-8, 10 and 13

4.1 The claims 2-8 depend on claim 1 and therefore also satisfy, as such, the conditions required by the PCT as regards novelty and inventive step.

4.2 The dependent claims 10 and 13 contain no feature which, in combination with those of any one of the claims on which they depend, defines a subject matter that satisfies the requirements of the PCT as regards novelty and/or inventive step.

The use of purge means for purging the injection means is considered as a commonplace activity for those skilled in the art in order to clean said injection means.

5. The subject matter of claims 1 to 13 is capable of industrial application (Article 33(4) PCT).
6. Contrary to what Rule 5.1 a) ii) PCT requires, the description does not indicate the relevant prior art in documents D1 and D2, nor does it cite these documents.
7. The wording of the independent claims in two parts ought to be adapted to the closest prior art presented by document D1.